

IDAHO FALLS REDEVELOPMENT AGENCY
P.O. BOX 50220
IDAHO FALLS, IDAHO 83405-0220

December 16, 2010

Regular Meeting
Minutes

City Annex Conference Room

Call to Order: Chair Barnes called the meeting to order at 3:00 p.m.

Members Present: Chair Bob Barnes, Tom Hally, LaMar John, Linda Martin, Dave Radford, Lee Radford, and Bob Utterbeck.

Members Absent: None.

Also Present: Ryan Armbruster, Agency legal counsel; Renée Magee, Agency executive director; Thane Sparks, Agency treasurer; and Debra Petty, recording secretary. Representatives from Taylor Crossing Terry Wadsworth and Sam Cook. Mayor Jared Fuhrman and Ida Hardcastle, Council President.

Introduction of New Member: Bob Utterbeck said he has been building in Idaho Falls for nearly forty years and is looking forward to serving on the board.

Minutes: October 21, 2010. Lee Radford moved to approve the minutes of October 21, 2010, as corrected. Motion seconded by Tom Hally. Motion passed.

Chair Barnes informed the board Vern Kelch is allowing the Idaho Falls Downtown Development Corporation (IFDDC) to use the parking area on the Savings Center property without rent. IFDDC is able to offer parking spaces at \$15 per month. This is a win-win as the Agency is not involved. IFDDC may be able to generate some revenue from the parking lot.

Approval of Bills: Chair Barnes presented the finance report dated December 16, 2010. The following bills were presented for payment: Mark Hansen, tax collector, \$3,946.23; Kent Lott, \$3,848.57; Jan Blickenstaff, \$598; David Dobbins, relocation, \$320; Elam & Burke \$2,810.75 from the Snake River allocation fund and Harlan Mann, \$647.75 from the River Commons Revenue allocation fund. Bills to be ratified: Taylor Crossing/Bradley Engineering, \$1,563.62; Taylor Crossing/Western States, \$14,674.56; Taylor Crossing, \$268,442.41; Donna Carlson, \$144; Harlan Mann, \$1,115.96; Elam & Burke, \$1,417.95; Kent Lott, \$3,034.60; and Mark Hansen, tax collector, \$5.00. **Lee Radford moved to approve the bills as presented. Motion seconded by Tom Hally. Motion passed.**

Request of Taylor Crossing for Modification to Owner Participation Agreement: Magee has informed representatives from Taylor Crossing of the time and location for the meeting. No one from Taylor Crossing was present. A letter from Lorin Walker received December 15, 2010, requested Attachment 8A not be modified or discussed at this meeting. The letter requested modification to the Owner Participation Agreement (OPA) be limited to extending the December 31, 2010, deadline for private development (Section E of the OPA dated December, 2005). Armbruster said Taylor Crossing requested modification of the OPA. Per the agreement, the private development must be completed by December 31, 2010 for 100% reimbursement of

expenses for street construction. Completion of development after December 31, 2010, entitles the developer to only 50% reimbursement. Attachment 8A under the existing OPA lists the cost of Riverwalk Drive at \$2,415,000. Under the amendment to Attachment 8A discussed with Taylor Crossing in the last few months, the amount for Riverwalk Drive was to be reduced to \$1.5 million. Until the Marriott Inn is completed, the northern portion of Riverwalk Drive is inaccessible to the public, and funding of the project by the developer is questionable. Under the OPA, the tax increment revenues generated by four parcels completed prior to the OPA (Zion's Bank, Redicare building, the strip center north of Pancheri, and the James Madison Taylor building) will not be used to reimburse Taylor Crossing for public improvements after 2012; therefore, revenues available to Taylor Crossing will be limited through the remaining life of the district. Armbruster said he, Magee, Hally, and John met with representatives from Taylor Crossing in September to review the OPA in detail for potential modifications. The board reviewed the suggested changes during the October meeting and instructed staff and legal counsel to revise Attachment 8A and redefine the list of projects. Armbruster said Lorin Walker suggested focusing on Riverwalk Drive and improvements to the Greenbelt with a possible increase of funds for the Greenbelt and zeroing out all other line items. Barnes said Harlan Mann prepared projections indicating there is sufficient income for reimbursement of approximately \$3 million for Riverwalk Drive and Greenbelt improvements.

Lee Radford is willing to extend the deadline for the private development but does not want to make other changes to the OPA. The improvements are desirable and he believes the Agency wants the developer to move forward if the developer is willing to consult with the Board prior to incurring any expenses. He would like allocated funds for Greenbelt projects administered by Dave Christiansen, parks director.

Dave Radford was informed by Armbruster the \$6.3 million referenced in the letter from Lorin Walker does not need adjusting since the agency only reimburses 75% of actual receipts from Taylor Crossing parcels after a note has been executed. Wording of the OPA can be tightened to state no reimbursement is available if the developer does not present a specific proposal for any category prior to incurring expenses.

Dave Radford questioned grant monies received for Greenbelt improvements. Magee stated grant monies were received on condition the improvements remain in perpetual public use. John is concerned the developer may channel money toward income generating development instead of public improvements. Magee does not believe that will be a problem under the current OPA. Barnes noted it is not known if the hotel, the largest portion of revenue generation in the projections, will be complete by 2012.

Lee Radford wants to encourage development by extending the deadline by two to four years. Barnes said he is not willing to extend the deadline by more than two years. Hally suggested the deadline be contingent on progress by the developer and suspects there will not be much development in the near future. **Lee Radford moved to extend the deadline for private development to December 31, 2011, and all projects to be submitted by Taylor Crossing for reimbursement must be preapproved by the agency prior to the incurring any expenses. Motion seconded by Dave Radford. Motion passed.**

The motion was summarized for Terry Wadsworth and Sam Cook, representatives of the developer, who just arrived at the meeting.

Surface Parking Lot Agreements: Magee contacted Ormond Builders regarding the lease of 28 parking spaces at the intersection of D Street and Park Avenue. Although the owner prepared a lease agreement for the Agency's consideration, Reed Miller, Ormond Builders, asked the spaces be marked "City/County" rather than "Public." He is concerned marking the spaces "Public" will exacerbate enforcement issues on the parking lot. Barnes is opposed to labeling the spaces "City/County" since it creates the perception parking is for public employees and not patrons of downtown merchants.

Lee Radford believes Ormond should mark and enforce 15 spaces for their use and signage be provided by the agency for the public spaces. Magee will struggle to acquire the necessary 28 spaces if an agreement is not reached. Magee explained the only area for posting signs is on the wall where the existing sign for paid parking is posted. There is no area for posting signs without damaging the pavement. Lee Radford understands the timeframe and is willing to accompany Magee when meeting with the owner in an effort to resolve the issue. **Lee Radford moved to grant authority to Magee and himself to resolve the issues with Reed Miller on behalf of the Agency. Motion seconded by Dave Radford. Motion passed.**

Linda Martin left the meeting at 4:00 p.m.

Meeting with Idaho Professional Building Association: Magee said the Idaho Professional Building Association wants to retain two separate parking lots so public users cannot access their private parking. The Association wants 32 spaces if the lots were combined but they have declined to seriously consider combining lots. The Agency will have a similar number of spaces if combined or not. The Association is willing to have the property line fenced between the two properties. The Association has a ten foot easement along the southern line of the Messick property. It is best for the design of the public parking area not to fence along the south line of the Messick property.

Update on Brunt and Messick Properties: The Brunt Building is vacant. The vacant building will be use by the police department for training purposes. Lights are needed during training and the agency will pay this cost. Demolition is planned for spring. Kent Lott is interested in some of the items left in the buildings, most of which he installed as manager of the Brunt Building. He will salvage the radiators from the Messick building in exchange for hauling away the damaged meter base and personal belongings left on the grounds by former tenants. The purchasing department for the city suggested contacting a 501-C organization to handle salvage. The building with the historic value is the Messick, not the Brunt, building. The Idaho Falls Historic Preservation Commission, of which two members are architects, may tour the Brunt building in January.

Redevelopment Association of Idaho: Barnes suggested donating \$500 to the Redevelopment Association of Idaho. It is hoped it will be a functioning body by spring. The focus will be to educate the legislators and others on the benefits of urban renewal. Lee Radford is concerned the association will become a defender of urban renewal agencies of the least common denominator

and has no interest in supporting them. Hally's hope is membership of Idaho Falls Redevelopment Agency will be a positive influence on the policies of other agencies. **Hally moved to pay \$500 to the Redevelopment Association of Idaho to assist with start-up costs. Motion seconded by Lee Radford. Motion passed.**

Legislative Update: Armbruster said urban renewal agencies will not propose any bills in the 2011 session to repair the current statutes. It will be more a defensive posture to prevent bad bills from being introduced or passed.

The meeting adjourned at 4:40 p.m.

Debra Petty, Recording Secretary